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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/753,062	12/28/2000	Paul E. McKenney	BEA9-2000-0013-US1	9320
30011 7590 01/08/2008 LIEBERMAN & BRANDSDORFER, LLC 802 STILL CREEK LANE GAITHERSBURG, MD 20878			EXAMINER HUYNH, KIM T	
			ART UNIT 2111	PAPER NUMBER
			MAIL DATE 01/08/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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LIEBERMAN & BRANDSDORFER, LLC
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GAITHERSBURG, MD 20878

MAILED

JAN 07 2008

TECHNOLOGY CENTER 2100

In re Application of: MCKENNEY, et al.
Application No. 09/753,062
Attorney Docket No. BEA9-2000-0013-US1
Filed: December 28, 2000
For: QUAD AWARE LOCKING
PRIMITIVE

SUA SPONTE
**WITHDRAWAL OF HOLDING OF
ABANDONMENT**

The petition under 37 CFR § 1.181 and request for withdrawal of the holding of abandonment (M.P.E.P. § 711.03(c)), filed December 24, 2007, is acknowledged.

A review of the application reveals that a Notice of Abandonment was mailed to the applicant on December 20, 2007. The notice incorrectly indicated that the instant application was being held abandoned "in response to the decision by the Board of Appeals and Interferences (the Board) rendered on September 27, 2007 and because the period for seeking court review of the decision has expired *and there are no allowed claims*". Reference to the Decision on Appeal (page 9 thereof), mailed September 27, 2007, reveals that the Examiner's rejection of pending dependent claims 11, 12, 20, 21, 30 & 31 was in fact reversed by the Board.

In accordance with M.P.E.P. § 1214.06(I)(B), the examiner has the following options:

(B) If the Board or court affirms a rejection against an independent claim and reverses all rejections against a claim dependent thereon, ** after expiration of the period for further appeal, >the examiner< should proceed in one of two ways:

- (1) Convert the dependent claim into independent form by examiner's amendment, cancel all claims in which the rejection was affirmed, and issue the application; or**
- (2) Set a 1-month time limit in which appellant may rewrite the dependent claim(s) in independent form. Extensions of time under 37 CFR 1.136(a) will not be permitted. If no timely reply is received, the examiner will cancel all rejected and objected to claims and issue the application with the allowed claims only.**

In view of these facts, the abandonment of the application was clearly in error and is hereby **VACATED**.

The application is being forwarded to the Supervisory Legal Instruments Examiner with instructions to **WITHDRAW** the holding of abandonment, restore the instant application to pending status. The application will then be forwarded to the Examiner of record for prompt action on the merits, in accordance with this decision.

Inquiries to this decision may be directed to the undersigned at (571) 272-3595.

Brian L. Johnson
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Computer Architecture, Software, and Information Security